

Attorney Docket No. 07456.0009-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Herbert PEIFFER et al.

Serial No.: 09/274,781

Filed: March 24, 1999

Group Art Unit: 1774

Examiner: Unassigned

For: TRANSPARENT POLYESTER FILM WITH)
HIGH OXYGEN BARRIER AND ADDITIONAL)
FUNCTIONALITY, ITS USE AND PROCESS)
FOR ITS PRODUCTION)

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner documents listed on the attached PTO 1449. This First Supplemental Information Disclosure Statement is being filed before the first office action on the merits in the above-referenced application. Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **DE 38 01 535**- The relevance of this document is discussed in the English language counterpart, U.S. Patent No. 5,236,680, submitted herewith.

2. **DE 43 06 155**- The relevance of this document is discussed in the English language counterpart, U.S. Patent No. 5,468,527, submitted herewith.

3. **EP 0 135 451** - The relevance of this document is discussed in the English language claims at columns 14-16, and in the English language counterpart, U.S. Patent No. 4,615,939, submitted herewith.

4. **WO 98/13414** - An English language abstract of this foreign language document, found on the title page of this document, discusses its relevance.

5. **WO 98/13415** - An English language abstract of this foreign language document, found on the title page of this document, discusses its relevance.

6. **Barendrecht et al., Ullmann's Encyclopedia of Industrial Chemistry**-
The relevance of this German language document relates to information understandable from its figures and tables.

7. **Utz, Dissertation**- The relevance of this German language document relates to information understandable from its figures and tables.

Additionally, Applicants submit U.S. Patent No. 4,493,872, an English language counterpart that discusses the relevance of EP 0 144 878, which was submitted in the original Information Disclosure Statement.

Additionally, Applicants would like to bring to the Examiner's attention the following applications, which may contain similar subject matter:

1. Title: TRANSPARENT POLYESTER FILM WITH HIGH OXYGEN BARRIER, ITS USE AND PROCESS FOR ITS PRODUCTION
Serial No.: 09/275,394
By: Herbert PEIFFER et al.
Filed: March 24, 1999
Attorney Docket No.: 7456.0005-0000

2. Title: POLYESTER FILM HAVING A HIGH OXYGEN BARRIER AND IMPROVED ADHESION TO METAL LAYERS, ITS USE AND PROCESS FOR ITS PRODUCTION
Serial No.: 09/275,393
By: Herbert PEIFFER et al.
Filed: March 24, 1999
Attorney Docket No.: 7456.0006-0000

3. Title: SEALABLE POLYESTER FILM WITH HIGH OXYGEN BARRIER, ITS USE
AND PROCESS FOR ITS PRODUCTION

Serial No.: 09/274,780

By: Herbert PEIFFER et al.

Filed: March 24, 1999

Attorney Docket No.: 7456.0007-0000

4. Title: THE USE OF A TRANSPARENT POLYESTER FILM AS A GAS/FLAVOR-
BARRIER FILM

Serial No.: 09/274,777

By: Herbert PEIFFER et al.

Filed: March 24, 1999

Attorney Docket No.: 7456.0008-0000

5. Title: POLYESTER FILM WITH HIGH OXYGEN BARRIER, THE USE OF THE
FILM AND PROCESS FOR ITS PRODUCTION

Serial No.: 09/275,392

By: Herbert PEIFFER et al.

Filed: March 24, 1999

Attorney Docket No.: 7456.0010-0000

6. Title: POLYESTER FILM HAVING AN OUTER LAYER COMPRISING PEN AND HAVING AT LEAST THREE LAYERS, ITS USE AS AN APS (ADVANCED PHOTO SYSTEM) FILM AND PROCESS FOR ITS PRODUCTION

Serial No.: 09/275,395

By: Herbert PEIFFER et al.

Filed: March 24, 1999

Attorney Docket No.: 7456.0011-0000

7. Title: POLYESTER FILM WITH SURFACE TOPOGRAPHY MATCHED TO THE INTENDED USE, THE USE OF THE FILM AND PROCESS FOR ITS PRODUCTION

Serial No.: 09/274,772

By: Herbert PEIFFER et al.

Filed: March 24, 1999

Attorney Docket No.: 7456.0012-0000

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent Office the relevant facts and law regarding the appropriate status of such documents.

Attorney Docket No. 07456.0009-00

Serial No.: 09/274,781

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application. If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

By: 

Ernest F. Chapman

Reg. No.: 25,961

Date: August 13, 1999

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